

APPROVED: Meeting No. 32-89

ATTEST: *Shan AB*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
Meeting No. 31-89

June 12, 1989

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on Monday, June 12, 1989, at 7:38 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember Steve Abrams

Councilmember James Coyle

Councilmember Viola Hovsepian

Councilmember David Robbins

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Re: City Manager's Report

1. The dedication ceremony of the pictorial of the past Mayors of Rockville was well attended.
2. On Wednesday, June 14, at 1:00 p.m., there will be a Flay Day program held at the Senior Center.
3. On Tuesday, June 13, at 10:30 a.m., there will be an official kick-off of the City's recycling program.
4. Interviews have been scheduled for the finalists for the position of Director of Community Services.
5. The 10 United Artists' theatres opened in Rockville on Friday, June 9.

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Re: Presentation of Proclamation  
for Rockville Flag Day, June  
14, 1989.

Proclamation No. 13-89

By a unanimous vote of the Mayor and Council, June 14, 1989, was declared "Rockville Flag Day." Councilmember Hovsepian read Proclamation No. 13-89, the full text of which can be found in Proclamation File No. 4 of the Mayor and Council. Helen Orchard, a former WAC who served in the Army at Walter Reed Army Medical Center during World War II, accepted the proclamation.

Re: Presentation of Proclamation  
declaring June 11-17, 1989  
as Rockville Garden Week.

Proclamation No. 14-89

By a unanimous vote of the Mayor and Council, June 11-17, 1989, was declared "Rockville Garden Week." Councilmember Coyle read Proclamation No. 14-89, the full text of which can be found in Proclamation File No. 4 of the Mayor and Council. Rebecca Ratliff, President of Woodley Gardens Garden Club, accepted the proclamation.

Re: Presentation of Proclamation  
of Rockville Amateur Radio  
Week, June 19-25, 1989.

Proclamation No. 15-89

By a unanimous vote of the Mayor and Council, June 19-25, 1989, was declared "Rockville Amateur Radio Week." Councilmember Robbins read Proclamation, No. 15-89, the full text of which can be found in Proclamation File No. 4 of the Mayor and Council. Mr. Jim McDonna of the Rock Creek Amateur Radio Association accepted the proclamation.

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Re: Recognition of Richard  
Montgomery High School's  
It's Academic Team which  
competed to the semi-finals  
in the 1988-89 school year.

Councilmember Abrams read the Certificate of Recognition awarded to Chan Park, Tuyen Nguyen, Sherman Lo and Dzung Pham, It's Academic Team Members, and the Team's Sponsors, Mrs. Babette Pitt and Mrs. Trudi Niewiaroski.

Re: Presentation of Rockville  
Seniors, Inc. contribution  
to the City toward the  
operating budget for the  
Senior Center.

Rosalie Campbell, Chairperson of Rockville Seniors, Inc., presented the City with a \$9,600 contribution from Rockville Seniors which represented \$1.25 for each senior citizen in Rockville. Ms. Campbell noted that funds are raised through bazaars, the thrift shop and donations.

Re: Citizens' Forum

At this time, the Mayor opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Leah Barnett, on behalf of the Rockville Chamber of Commerce, presented the Mayor and Council with a \$1,000 check as a contribution for Hometown Holidays.

2. John Freeland, on behalf of the Rotary Club of Rockville, presented the Mayor and Council with a \$1,000 check for the Hometown Holidays' laser show. Mr. Freeland noted that the Club had sponsored the New Orleans Jazz Band which participated in the Memorial Day Parade and also stated that the Twilight Run Fest will be held on July 22 with the proceeds benefitting the City and Polio Plus.

3. Mansfield Kaseman, 704 Carr Avenue, informed the Mayor and Council that he had just returned from a trip to the Soviet Union and presented the Mayor and each

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Councilmember with a different flag pin from the U.S.S.R. as a symbol of friendship. Rev. Kaseman also encouraged the City of Rockville to add additional Sister Cities.

There being no other citizen wishing to be heard, the Mayor closed the Citizens' Forum portion of the meeting.

Re: Legislative Briefing: State Senator Frank Shore, Delegate Mike Gordon, Delegate Jennie Forehand, and Susan Kassell (on behalf of Delegate Mary Boergers who is out of the country) will brief the Mayor and Council on the highlights of the 1989 Maryland General Assembly session.

Senator Frank Shore presented the Mayor and Council with a resolution from the Maryland Senate recognizing the City's receipt of the Maryland Municipal League's 1989 Award for Excellence for its solution to cleaning up leaking underground fuel tanks. Senator Shore reviewed the passage of the covered truck bill, problems at the Patuxent Institution, the Kingpin Act and the Drug Free School Zone bill.

Delegate Mike Gordon, Chairman of the Montgomery County Delegation, noted that the County had fared well during the 1989 General Assembly session, receiving \$13.5 million in funding for schools. He reviewed the prohibition of honorariums as of July 1 as well as the new law regarding immediate revocation of driver's license if suspected of drunk driving.

Susan Kassell read a letter prepared by Delegate Mary Boergers detailing a number of bills which she had sponsored during the 1989 General Assembly session, including authority for the student School Board member to vote on School Board policy; extension of the current sales tax exemption to charitable organizations located outside of the county but providing services to county residents; expansion of the Maryland Vocational Rehabilitation Program; authorization of State tax-free bonds;

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and the State funding of two counselor positions for the Rockville Housing Authority.

Delegate Jennie Forehand reviewed the passage of a number of bills, including raising the age from 16 to 18 for the purchase of cigarettes; licensing of financial planners; prohibition of junk FAX material; an increase in the tax exemption which should net an additional \$7.50 per taxpayer; Main Street Home Improvements appropriations; and Program Open Space (\$2.9 million to acquire parkland in Montgomery County).

Re: Presentation of the Annual  
Report of the Board of  
Appeals

James Moone, 1988 Chairman, Karen Lechter, Patrick Woodward and David Melnick, presented a list of four recommendations to the Mayor and Council:

1. The Zoning Ordinance should be amended to add group homes to the Table of Uses and develop appropriate standards to ensure compatibility with surrounding neighborhoods.
2. Changes should be made to the Zoning Ordinance that will clarify certain definitions and requirements such as those dealing with restaurants and fences on corner lots.
3. There should be language added to building and fence permits to alert citizens that approval of a building permit does not imply compliance with all applicable laws of the City.
4. The "grandfather" provisions of the Sign Ordinance relating to nonconforming signs expire in 1991. The City should inventory these signs and alert property owners to the upcoming deadline for compliance.

The members of the Board of Appeals expressed their gratitude to staff, Lisa Rother, Chief Planner, and Alice Cronin, Secretary, for their support.

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Re: Presentation of Final Report  
of the Goals Task Force

Patrick Woodward, Chairman of the Goals Task Force for the City of Rockville, presented their final report, noting that seven subject areas emerged during their review, i.e., City Services, Financial, Government and Intergovernmental Relations, Growth, Redevelopment and Preservation, Housing, Human Services and Transportation.

Mr. Woodward stated that the report contains 119 recommendations, some of which set forth specific actions the City should take to achieve the stated goals. Many of the recommendations, however, set forth an agenda for further study and consideration.

It was agreed that the Mayor and Council would hold a public hearing on the findings and recommendations of the Goals Task Force on July 31. Councilmember Abrams requested that the Final Report be widely circulated within the City to civic associations and other interested and affected groups and organizations.

The Goals Task Force members expressed their appreciation to City staff members Lisa Rother, Chief Planner, and Mark Shea, Planner I, for their excellent support and presented each with a plaque.

Re: Approval of Minutes

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the minutes of Meeting No. 25-89 (May 24, 1989) were approved as written.

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the minutes of Meeting No. 26-89 (May 30, 1989) were approved as written.

Re: Appointments

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the Mayor and Council made the following appointments:

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Cultural Arts Commission

Beverly Nelson (reappointment)  
George Northway

Recreation & Park Advisory Board  
Charles Carroccio (reappointment)

Traffic and Transportation Commission  
Andrew Johnson (reappointment)  
John Borden

Re: Consent Agenda

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the Mayor and Council approved the following Consent Agenda Items:

- A. Approval of waiver for on site Storm Water Management for the property at 1601 Rockville Pike in the Cabin John drainage area, and acceptance of a \$2,000 contribution for the off-site SWM fund.

The developer, Giant Food, Inc. plans the construction of a dumpster pad and private storm drain inlet.

- B. Approval of waiver for on-site Storm Water Management for the property at 1455 Research Blvd. in the Watts Branch drainage area, and acceptance of a \$296,800 contribution for the off-site SWM.

The developer, West Group, plans the construction of two office buildings and related parking.

- C. Award of engineering services contract for completion of design of Ritchie Parkway (Seven Locks to Pike) to Greenhorne and O'Mara, Inc. in the amount of \$274,505.

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- D. Award of Bid #101-89 Construction of a lighted basketball court and the resurfacing of four (4) tennis courts at Broome Athletic Park to the low bidder, Pickens and Sons, for \$97,460.

This project will provide an asphalt basketball court with lighting, fencing and will resurface, color-coat, and restripe all 4 tennis courts at Broome. Both tennis and basketball courts will have the City's first recreational cushion-type under-surface paving systems.

- E. Introduction of ordinance for levy of assessment for improvements to Washington Street.

Limits to the improvements are North and South Washington Street from Jefferson Street to Beall Avenue, Middle Lane between North Washington Street and a point 250 feet west, West Montgomery Avenue between North Washington Street and a point 220 feet west, and the Gateway to Courthouse Square.

Re: Adoption of Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 1990. The ordinance sets the budget levels for both the operating budget and capital budget for FY 1990. The proposed property tax rate is 83 cents per \$100 of assessed valuation.

Ordinance No. 17-89

Mayor Duncan read the following Statement on the FY1990 Operating Budget:

This evening, we are adopting an operating budget for fiscal year 1990 that reaffirms the City's commitment to the quality of life of its residents.



City service is the hallmark of good local government, and this budget makes important new commitments to citizen service. It includes a full-time citizen service request coordinator\_to monitor City response to requests for service. It also includes increased funding for Public Works to make our snow and ice removal, leaf collection and street maintenance services even better than they already are today.

This budget is also responsive to many of the concerns raised during the public hearings regarding human service needs, youth and the arts. These represent the needs of a diverse and vibrant community, a community that cares about its less fortunate residents, wants to secure a safe and healthful future for its children and celebrates the color and creativity of life.

All this is being done while keeping the tax rate at \$.83 per \$100 of assessed value for the second consecutive year as recommended by the City Manager and avoiding the necessity of using up any portion of essential fiscal reserves.

I am particularly pleased that this budget provides for continued funding of Hometown Holidays as a three-day event over the Memorial Day weekend.

Hometown Holidays was such a success this year that we all agreed with unanimous enthusiasm to make it an annual celebration.

The budget also provides a continuing level of essential support to the Rockville Housing Authority, home to approximately 175 households. The safety, security and comfort of these families is a responsibility we share with other levels of government. We are fully committed to that responsibility in this budget with continued refuse collection, the purchase of clothes dryers, general maintenance support and staff language training.

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The Child Care Task Force has just completed its report and held a public forum on child care needs in Rockville. Its report stresses the need for better information for parents on the resources available for child care in the Rockville area. This budget responds to that need with a \$4,000 grant to the Child Care Connection, a non-profit agency established expressly to help these parents find child care.

We have also just completed the annual Student Government Days by high school students from Rockville. One group made a comprehensive study of Police-Youth relations and suggested, among other things, reinstituting the Rockville Explorers Post for students with interest in police work. I am pleased to say this budget includes \$14,000 to implement this recommendation with the enthusiastic support of Police Chief Treschuk.

Finally, the FY1990 budget provides the funds to help the Rockville Arts Place get established and operating in the Rockville Town Center where it opened over the Hometown Holidays weekend. Rockville Arts Place is one of the cornerstones of our Town Center revitalization, and we are proud to be a part of it.

I would like to thank the staff for their efforts in completing this often difficult and demanding task. With their help, the Mayor and Council are able tonight to approve a budget that provides the resources necessary for the City to continue to deliver the high quality services that Rockville residents enjoy and expect.

Councilmember Abrams moved to amend the ordinance to reflect the changes made in the budget worksessions. Said motion was duly seconded and unanimously passed. Upon Motion of Councilmember Abrams, duly seconded and unanimously passed, Ordinance No. 17-89, the full text of which can be found in Ordinance Book 14-89 of

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the Mayor and Council, was adopted, as amended, to appropriate \$45,073,156 in FY1990 for the annual operating expenses of the departments and agencies of the City, and to appropriate the total sum of \$60,995,000 in FY1990 for capital improvement projects. Said ordinance also provides for the levy of a tax against all assessable real and personal property within the corporate limits of the City, except stock in business, at the rate of \$.83 per \$100 of assessable value of said property and the levy of a tax against all stock in business within the corporate limits of the City at a rate of \$.15 per \$100 of assessable value of such personal property.

Re: Adoption of Ordinance to amend Section 7-2.17 of Chapter 7 of the "Laws of Rockville", entitled "Sewer Usage Charge".

Ordinance No. 18-89

The amendment to the ordinance increases the rate from \$2.14 per 1,000 gallons to \$2.25 per 1,000 gallons, effective July 1, 1989. This rate is assumed in the preparation of the budget for Sewer Fund operations.

Upon motion of Councilmember Abrams, duly seconded and unanimously passed, Ordinance No. 18-89, the full text of which can be found in Ordinance Book No. 14 of the Mayor and Council, was adopted to amend Section 7-2.17 of Chapter 7 of the "Laws of Rockville" entitled "Usage Charge."

Re: Adoption of resolution to increase the refuse collection rate to \$19.15 per single family residence per month (\$229.80 per annum) for FY 1990.

Resolution No. 14-89

The proposed monthly rate for single family residence refuse service of \$19.15 consists of \$8.17 directly attributable to disposal charges and \$10.98

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attributable to collection charges. The Refuse Fund is a completely self-supporting fund.

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Resolution No. 14-89, the full text of which can be found in Resolution Book No. 9 of the Mayor and Council, was adopted to increase the refuse collection rate to \$19.15 per single family residence per month.

Re: Adoption of resolution  
instituting fiscal policies  
for management of debt and  
capital improvements.

Resolution No. 15-89

In order to sustain the City's fiscal stability and to enhance its accounting practices, preserve its credit rating, and develop programs to meet capital needs while controlling debt issuance, the staff has recommended 21 policies for consideration. The Mayor and Council have reviewed these policies which insure prudent debt management, proper fund balance levels, and enhanced capital improvement programming.

Upon motion of Councilmember Abrams, duly seconded and unanimously passed, Resolution No. 15-89, the full text of which can be found in Resolution Book No. 9 of the Mayor and Council, was adopted to institute fiscal policies for management of debt and capital improvements.

Re: Adoption of ordinance for  
levy of special assessment  
charges against seventy-  
seven properties for drive  
apron construction performed  
by the City.

Ordinance No. 19-89

For many years, the City has operated a program under which homeowners may request the City to construct a drive apron to their residence and pay the costs over

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an extended period, up to five years in duration. The full costs are included in the charges, including construction, inspection and administration. If the owner chooses to pay on the deferred basis, interest is charged based on the rate current when the work is accomplished. The present rate is 6.62%. The first billing will be included with the July, 1989 mailing of the regular property tax bill.

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, Ordinance No. 19-89, the full text of which can be found in Ordinance Book No. 14 of the Mayor and Council, was adopted to levy special assessment charges against seventy-seven properties for drive apron construction performed by the City.

Re: Discussion and Instructions  
to Staff: Exploratory  
Application for Planned  
Residential Unit PRU-4M-88,  
Archdiocese of Washington,  
Applicant.

The subject property is a 5.23 acre record lot located at the southeast corner of the intersection of Route 28 and Glen Mill Road and is part of the Rockshire Planned Residential Unit Development. A modification of the PRU development, approved in 1971, resulted in this site being designated for church use. The property has been vacant since that time, and the Archdiocese of Washington has determined that it no longer requires this site.

The applicant, acting for the contract purchaser, seeks to use some of the excess residential density available in the Rockshire PRU to develop the property with 24 homes on individual lots.

Discussion ensued regarding the average lot size of the proposed development and compatibility with adjoining properties. Upon motion of Councilmember Abrams, duly seconded and unanimously passed, staff was directed to prepare a resolution for approval of Exploratory Application PRU-4M-88 with the conditions imposed by the

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Planning Commission and a further condition to provide that the size of the lots should be compatible with abutting residential properties.

Re: FYI/Correspondence

Councilmember Coyle complimented the City Manager and the Chief of Police for the Department's outreach efforts.

Re: New Business

Councilmember Abrams asked what ideas staff had developed as a remembrance for Claude Pepper. Mr. Romer responded that staff is following up on this project and comments will be forthcoming.

Councilmember Abrams inquired as to the current status of a feasibility study for senior housing. Mr. Romer noted that staff will review and report back to the Mayor and Council.

Councilmember Hovsepien reported on her and Mayor Duncan's visit to Farmland Elementary School's "New Work City." She presented the other Councilmembers with nameplates that the students had made.

Mayor Duncan reported that the City of Rockville was chosen as one of four cities to receive an outstanding achievement award in the Tenth Annual City Livability Awards Program of the U.S. Conference of Mayors. This award for support of the arts will be presented to the City on June 21 in Charleston, South Carolina.

Mayor Duncan stated that Gerald P. Frick would be retiring after serving as Principal of College Gardens Elementary School for 21 years. By a unanimous vote of the Mayor and Council, Proclamation No. 16-89, the full text of which can be found in Proclamation File No. 4 of the Mayor and Council, was approved proclaiming June 16, 1989 as "Gerald P. Frick Day" in Rockville.

The Mayor and Council adjourned at 9:23 p.m. to convene in Executive Session.

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Re: Executive Session

The Mayor and Council convened in Executive Session to discuss personnel matters.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:45 p.m., to convene again in General Session at 7:30 p.m. on June 26, 1989, or at the call of the Mayor.